

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE VALDEZ-JIMENEZ,

Petitioner,

v.

SHERIFF JOSEPH LOMBARDO,

Respondent.

Case No. 2:19-cv-00581-RFB-VCF

**ORDER GRANTING MOTION TO
DISMISS (ECF Nos. 25, 27) AND
DISMISSING ACTION**

This action is a petition for a writ of habeas corpus, under 28 U.S.C. § 2241, by Jose Valdez-Jimenez, who was a pretrial detainee at the Clark County Detention Center, in Las Vegas, Nevada, when he initiated the action. See Petition for Writ of Habeas Corpus (ECF No. 1), p. 2. Valdez-Jimenez claimed that his federal constitutional rights were violated with respect to the setting of bail. See *id.*

On June 25, 2019, the respondents filed a motion to dismiss (ECF Nos. 25, 27), requesting that the action be dismissed because Valdez-Jimenez has now pled guilty and waived his right to a trial, ending his pretrial detention, and thereby rendering moot his claim regarding the setting of his bail and depriving the Court of jurisdiction. See Motion to Dismiss Petition as Moot (ECF No. 27), pp. 2-4 (citing *Murphy v. Hunt*, 455 U.S. 478, 481-82 (1982)). On the same date, Valdez-Jimenez responded to the motion to dismiss, giving notice that he agrees the case is moot and the Court is without jurisdiction, and that he does not oppose the motion to dismiss (ECF No. 28).

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1 Therefore, good cause appearing,

2 **IT IS HEREBY ORDERED** that Respondents' Motion to Dismiss Petition as Moot
3 (ECF Nos. 25, 27) is **GRANTED**. This action is dismissed, without prejudice.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to enter
5 judgment accordingly and close this case.

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7 DATED this 26th day of June, 2019.

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RICHARD F. BOULWARE, II,
UNITED STATES DISTRICT JUDGE